

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SANTOS RODRIGUEZ,

Plaintiff,

v.

KELLY SANTORO, *Warden at North
Kern State Prison,*

Defendant.

Case No. 1:21-cv-01263-HBK

ORDER GRANTING PLAINTIFF'S MOTION
FOR MISCELLANEOUS RELIEF

(Doc. No. 8)

Pending before the Court is Plaintiff's letter pleading construed as a motion filed November 2, 2021. (Doc. No. 8). Plaintiff Santos Rodriguez, who identifies himself as a former state prisoner,¹ initiated this action by filing a *pro se* "Civil Rights Complaint by a Prisoner" form under to 42 U.S.C. § 1983 on August 19, 2021. (Doc. No. 1). Plaintiff is proceeding *in forma pauperis* in this action. (Doc. No. 7). The construed motion reads in full: "To the Judge would it be possible to have my case heard as this technology continues to torment me day and night. Please." (Doc. No. 8).

Title 28 USC § 1915(e)(2)(A), (B) requires the court to screen a complaint before service upon any defendant if the plaintiff is proceeding *in forma pauperis*. This Court has "one of the

¹ According to the address listed by Plaintiff, he is not longer incarcerated, although he complains about events that allegedly occurred while he was incarcerated at various institutions.

1 heaviest caseloads in the nation,” and due to unfilled judicial vacancies, which is further
2 exacerbated by the Covid-19 pandemic, operates under a declared judicial emergency. *See*
3 Amended Standing Order in Light of Ongoing Judicial Emergency in the Eastern District of
4 California. Plaintiff’s complaint was filed fewer than three months ago. The Court will screen
5 Plaintiff’s Complaint as expeditiously as possible considering its docket. This order effectively
6 grants Plaintiff’s motion to the extent the court acknowledges Plaintiff’s complaint is pending and
7 requires screening. Plaintiff should note any future motions seeking to have this case expedited
8 will have the opposite effect as the court will be forced to divert its attention from screening to
9 addressing such motions. Any future pleadings requesting relief from the Court must comport
10 with basic pleading requirements and properly be titled as a “motion” and shall “state with
11 particularity the grounds for seeking the order.” Fed. R. Civ. P. 7(b).

12 Accordingly, it is ORDERED:

13 Plaintiff’s motion seeking miscellaneous relief (Doc. No. 8) is GRANTED to the extent
14 the court will screen Plaintiff’s complaint in due course.

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16 Dated: November 4, 2021

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18 HELENA M. BARCH-KUCHTA
19 UNITED STATES MAGISTRATE JUDGE
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